



COOK INLET SPILL PREVENTION & RESPONSE INC.

November 26, 1996

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Office of the Secretary
Federal Communications Commission
Washington, D.C. 20554

Re: FCC IB Docket 96-220 "In the matter of: Amendment of Part 25 of the Commission's Rules to Establish Rules and Policies Pertaining to the Second Processing Round of the Non-Voice, Non-Geostationary Mobile Satellite Service"

Cook Inlet Spill Prevention and Response Incorporated (CISPRI), a not-for-profit corporation organized and operating under the laws of the State of Alaska, would like to register an objection to the Notice of Proposed Rulemaking ("Notice") issue under FCC IB Docket No. 96-220.

CISPRI's primary responsibility is to contain and clean up oil spills that may occur throughout the waters of upper and lower Cook Inlet, Alaska, including onshore areas within 75 miles of the inlet shoreline and coastal waters extending for 100 miles on either side of the inlet entrance. The ability to communicate efficiently with a wide assortment of state and federal agencies, oil producers and transporters, and other oil spill cleanup contractors is critical to our mission.

In footnote 59 to paragraph 78 of the NPR, it is stated that the 459-460 MHz band has been allocated at WRC-95 as a little LEO uplink band for use in region two. Further, paragraph 78 states that the FCC is proposing to "...allow second round licensees exclusive use of the WRC-95 spectrum..." This would indicate that the FCC is proposing that we and all other oil spill response and cleanup entities must vacate one of only three (3) primary use national oil spill containment and cleanup operations mobile relay frequency pairs; specifically 454.000/459.000 MHz (ref. 47 CFR 90.65 (c) (6)).

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The three national oil spill containment and cleanup operations frequencies are critical to the establishment of radio communications in the early stages of any major oil spill. During the 1989 Exxon Valdez spill, the first mobile relay capability in the area was established on this pair, and it remained the primary coordinating frequency pair for a number of days as oil spill cleanup contractors, state agencies, and USCG assets were assembled and deployed from around the country. These frequencies were then and are now the only ones that all responding entities (private, state, and federal) share; they continue to be relied upon to coordinate the early response and remain essential throughout the duration of the response and subsequent cleanup. Elimination of this frequency pair would directly impact our ability to respond quickly and efficiently in the event of a major oil spill in our area as well as our ability to provide assistance on spill cleanup efforts outside of our area of responsibility. The adverse impact to the environment, and to the health and safety of the cleanup workers, as a direct result of this impaired communications capability could be significant.

In addition to the adverse impact as described above, this action would constitute a financial hardship for us as it would require us, as well as the other oil spill cooperatives and the major oil producers in the state, to modify an extensive installed base of remote mountain top radio equipment as well as an extensive inventory of land mobile equipment.

CISPRI requests that, in the event that the Commission acts to grant the 459-460 MHz band to the exclusive use of the Little Leo's, it reserve the 25Khz channel at 459.000 MHz for continued primary use as a national oil spill containment and cleanup operations frequency.

Sincerely,

A handwritten signature in black ink, appearing to read "D. A. Lentsch". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

D. A. Lentsch
General Manager